IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.7974 of 2008
CHANDESHWAR MAHTO.Vs.THE STATE OF BIHAR

3/ 5.5.2008 Heard learned counsel for the parties.

A case under Section 364(A)/34 of the Indian Penal Code and 27 of the Arms Act was registered against Pramod Choudhary and four others unknown on the basis of fardbeyan of Premchand Gupta regarding kidnapping of his younger brother Shiv Chandra Gupta. In course of investigation, the victim was recovered and he was examined under Sections 161 and also 164 of the Code of Criminal Procedure.

Submission is that the victim has named Girideo Sahni and Shobha Choudhary in the statement recorded under Section 164 of the Code of Criminal Procedure and they have been granted bail by this court. A report regarding stage of the trial was called for which has been received. From the report it appears that only one prosecution witness has been examined and the petitioner is in jail custody since 22.12.2005.

Considering the facts and circumstances of the case, let petitioner Chandeshwar Mahto be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, Fast Track Court No.V, West Champaran, Bettiah in Sessions Trial No. 246 of 2006.

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Tahir/- **(Shyam Kishore Sharma, J.)**